

ORDINANCE NUMBER 07-09

AN ORDINANCE OF THE TOWN OF WESTFIELD TO ESTABLISH COMPLIANCE WITH THE TOWN THOROUGHFARE PLAN AND STATE OF INDIANA U.S.31 PROJECT

WHEREAS, the Town of Westfield, Indiana, hereinafter "Town", is a duly formed municipal corporation within the State of Indiana, hereinafter, "State", governed by the Town Council, hereinafter "Council", has the duty, responsibility and authority to establish, monitor, and maintain ordinances for the general safety and welfare of the public as well as foster good economic growth for the citizens; and,

WHEREAS, it is the duty of the Council to improve the health, safety, convenience, and welfare of their citizens and to plan for the future orderly development and growth of their communities by enhancing the roadways system under its jurisdiction; and

WHEREAS, the Council is aware of the State's plans to expand and /or relocate and/or otherwise enhance the right of way for the U.S. 31 corridor as an additional means to enhance the roadway system for use of the citizens of the State, hereinafter, "Project", pursuant to plans adopted by the State; and

WHEREAS, the Council wishes to aid and foster this orderly and planned growth by aiding the State in their project by requiring development to be compliant with the Project so as not to unnecessarily require the relocation of businesses and persons; and,

WHEREAS, a failure to attempt to safeguard the proposed rights of way would only unnecessarily increase the acquisition costs for the implementation of the Thoroughfare Plan of the Town and the Project by the State that would be a detriment to all as well as allow for the unnecessary dislocation of persons and businesses; and,

WHEREAS, the Town has recently adopted a Thoroughfare Plan as a means to plan for the orderly movement of traffic and persons throughout the planning jurisdiction of the Town; and,

WHEREAS, requiring development to be consistent with both the Project of the State and the Thoroughfare Plan of the Town is in the best interests of the citizens of the Town and those served by the planning and zoning of the Town by requiring orderly growth of and the expansion of roadways; and,

WHEREAS, after being fully advised in the matter,

NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT:

SECTION I. This Ordinance shall require that the Westfield-Washington Zoning Ordinance be amended to include that all development within the Town's planning area shall be required to comply with the Westfield-Washington Thoroughfare Plan.

SECTION II. This Ordinance shall require that any development taking place within the area designated as the U.S 31 Overlay Zone as described within the Westfield-Washington Zoning Ordinance, be required to send notice of any proposed development to the State of Indiana by registered mail of said development at the time of the initial filing with the Town of Westfield.

SECTION III. The Community Development Director is hereby ordered to provide for the amendment of the rules and procedures that must be addressed in carrying out this Ordinance and to create a document to be forwarded to the State for any development within the U.S 31 Overlay Zone.

SECTION IV. This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are hereby ordered repealed.

ADOPTED AND PASSED THIS 11 DAY OF July, 2007, BY THE
WESTFIELD TOWN COUNCIL, HAMILTON COUNTY, INDIANA.

WESTFIELD TOWN COUNCIL
Hamilton County, Indiana

Voting For

J. Andrew Cook

Jack Hart

John Dippel

Bob Smith

Ron Thomas

Robert Horkay

Joseph Plankis

Voting Against

J. Andrew Cook

Jack Hart

John Dippel

Bob Smith

Ron Thomas

Robert Horkay

Joseph Plankis

Abstain

J. Andrew Cook

Jack Hart

John Dippel

Bob Smith

Ron Thomas

Robert Horkay

Joseph Plankis

ATTEST:

Cindy Gossard
Clerk-Treasurer, Cindy Gossard

This ordinance prepared by
Brian Zaiger, Attorney at Law
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"I affirm, under the penalties of perjury,
that I have taken reasonable care to redact
each Social Security Number in this
document, unless required by law"

C. Gossard
Signed